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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Dirk M. Anderson and Laurent J. Galibert

Docket No.: 2852-C

Serial No.: 09/688,459



Group Art Unit: 1646

Filing Date: October 13, 2000

Examiner: Unknown

For: ISOLATED DNA MOLECULE ENCODING RANK LIGAND
(as amended)

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231

REQUEST TO CORRECT FILING RECEIPT

Dear Sir or Madam:

We have noted that the filing receipt issued for the above-referenced patent application contains errors in the Applicant information and also contains incorrect priority data. A copy of this filing receipt is attached, on which the requested changes are indicated in red.

According to the attached Filing Receipt, the residence of the applications was not provided. However, this information was present on the transmittal letter that accompanied the filing of this application (a copy of this letter is attached). Please issue a corrected Filing Receipt that includes this residence information.

The Filing Receipt attributes USSN 60/064,671 with being a CIP of 08/813,509 and attributes 08/813,509 with being a CIP of 08/772,330. However, these statements do not conform with the information that was provided with the application as filed.

The first paragraph of the subject application actually states that "[t]his application" is a CIP of each of the next three applications, i.e., it is a CIP of USSN 60/064,671, *and* it is a CIP of USSN 08/813,509 *and* it is a CIP of 60/059,978. In fact, USSN 08/813,509 also is a provisional application. It was filed initially as a regular application, and later was converted to a provisional and assigned the serial number

60/077,181. Since these three applications are provisionals, the Filing Receipt should be corrected to read as follows:

THIS APPLICATION IS A DIV OF 08/995,659 12/22/1997
WHICH CLAIMS BENEFIT OF 60/064,671 10/14/1997
AND CLAIMS BENEFIT OF 60/077,181 03/07/1997, ABN
AND CLAIMS BENEFIT OF 60/059,978 12/23/1996, ABN



Thank you for your assistance in this matter.

Respectfully submitted,

Diana K. Sheiness

Diana K. Sheiness
Registration No. 35,356

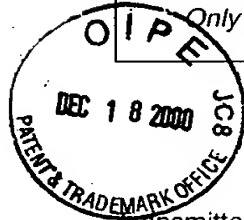
Immunex Corporation
Law Department
51 University Street
Seattle, WA 98101
Telephone (206) 587-0430

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date indicated below.

Date: Dec. 13, 2000

Signed: Nanci M. Kertson
Nanci M. Kertson

**UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)***Only for new nonprovisional applications under 37 C.F.R. 1.53(b)*

Docket No.:

2852-C

Express Mail Label No.:

EL591095415US**TO THE ASSISTANT COMMISSIONER FOR PATENTS
BOX PATENT APPLICATION
Washington, D.C. 20231**

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

ISOLATED DNA MOLECULE ENCODING RANK LIGAND (AS AMENDED)

and invented by:

Dirk M. Anderson, residing at Seattle, Washington 98107 and Laurent J. Galibert, residing at Seattle, Washington 98115.

If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP)

of prior application No.: 08/995,659

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification including claims and abstract (74 pages total)
3. ☒ Drawing(s); Number of Sheets 6
4. ☐ Oath or Declaration
 - a. ☐ Newly executed
 - b. ☐ Copy from a prior application (37.C.F.R. 1.63(d)) (*for continuation/divisional application only*)
 - c. ☐ With Power of Attorney ☒ Without Power of Attorney
 - d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation by Reference (usable if Box 4b is checked)
The entire disclosure of the prior application from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Program in Microfiche (Appendix)
7. ☒ Nucleotide and/or Amino Acid Sequence Submission
 - a. ☒ Paper copy
 - ☒ Pages 37 - 68 of specification
 - ☐ Separately numbered pages _____ - _____
 - b. ☐ Computer Readable Copy
 - c. ☐ Statement Verifying Identical Paper and Computer Readable Copy
 - d. ☒ Statement under 37 C.F.R. 1.821(e) in lieu of Computer Readable Copy

Accompanying Application Parts

8. ☐ Assignment
- a. ☐ Executed original Assignment and Recordation Form enclosed
- b. ☐ Prior application is assigned of record to Immunex Corporation
(reel _____ frame _____)
9. ☐ 37 C.F.R. 3.73(B) Statement (*when there is an assignee*)
10. ☒ Preliminary Amendment
11. ☒ Acknowledgment postcard
12. ☒ Certificate of Mailing by Express Mail (Label No.: EL591095415US)
13. ☐ Certified Copy of Priority Document(s) (*if foreign priority is claimed*)
14. ☐ Additional Enclosures (*please identify below*):

| |
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Fee Calculation and Transmittal

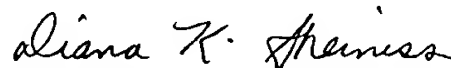
| CLAIMS AS FILED (after any Preliminary Amendment submitted herewith) | | | | | |
|--|---------|-----------|---------|-----------|------------|
| For | # Filed | # Allowed | # Extra | Rate | Fee |
| Total Claims | 32 | - 20 = | 12 | x \$18.00 | \$216.00 |
| Indep. Claims | 4 | - 3 = | 1 | x \$80.00 | \$80.00 |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | \$0.00 |
| BASIC FEE | | | | | \$710.00 |
| OTHER FEE (<i>specify purpose</i>) | | | | | \$.00 |
| TOTAL FILING FEE | | | | | \$1,006.00 |

- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 09-0089 as described below. A copy of this sheet is enclosed.

- ☒ Charge the amount of \$1,006.00 as a filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional fees required under 37 C.F.R. 1.16 and 1.17.

Correspondence address:

Immunex Corporation
Law Department
51 University Street
Seattle, Washington 98101
Telephone: (206) 587-0430



Diana K. Sheiness
Registration No. 35,356

Dated: October 13, 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Dirk M. Anderson and Laurent J. Galibert

Docket No.: 2852-C

Serial No.: 09/688,459

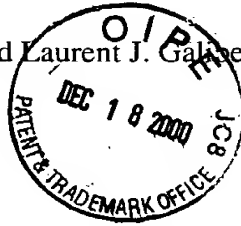
Group Art Unit: 1646

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For: ISOLATED DNA MOLECULE ENCODING RANK LIGAND
(as amended)

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231



**RESPONSE TO NOTICE TO FILE MISSING PARTS OF A
NONPROVISIONAL APPLICATION**

In response to the Notice to File Missing Parts of Application having a mailing date of November 29, 2000, a Declaration and Power of Attorney executed by the inventors of the above-identified application is enclosed.

Applicants hereby authorize the Commissioner to charge the required surcharge of \$130, or any other fee required for the filing of the enclosed document, even if different from that calculated above, or crediting of any overpayment, to Deposit Account No. 09-0089. A copy of this paper is enclosed for that purpose, along with a copy of form PTO-1533.

Respectfully submitted,

Diana K. Sheiness

Diana K. Sheiness

Registration No. 35,356

Immunex Corporation
Law Department
51 University Street
Seattle, WA 98101
Telephone (206) 587-0430

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service in an envelope addressed to: Assistant Commissioner for Patents, Office of Official Patent Examination, Customer Service Center, Washington, D.C. 20231, on the date indicated below.

Date: Dec. 13, 2000

Signed: Harvey M. Keston



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/688,459 | 10/13/2000 | Dirk M. Anderson | 2852-C |

Immunex Corporation
Law Department
51 University Street
Seattle, WA 98101



FORMALITIES LETTER



OC000000005583238

Date Mailed: 11/29/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

12/20/2000 MAHME1 00000111 090089 09688459

01 FC:105 130.00 CH



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|-----------------|----------|------------|------------|
| 09/688,459 | 10/13/2000 | 1646 | 1006 | 2852-C | 6 | 32 | 4 |

Immunex Corporation
Law Department
51 University Street
Seattle, WA 98101



FILING RECEIPT



OC000000005583237

Date Mailed: 11/29/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Dirk M. Anderson, ~~Residence Not Provided~~, *Seattle, WA*
Laurent J. Galibert, ~~Residence Not Provided~~, *Seattle, WA*

Continuing Data as Claimed by Applicant

THIS APPLICATION IS A DIV OF 08/995,659 12/22/1997
WHICH CLAIMS BENEFIT OF 60/064,671 10/14/1997
~~WHICH IS A CIP OF 08/813,509 03/07/1997 ABN~~
~~WHICH IS A CIP OF 08/772,330 12/23/1996 ABN~~

AND CLAIMS BENEFIT OF 60/077,181

Foreign Applications

AND CLAIMS BENEFIT OF 60/059,978

If Required, Foreign Filing License Granted 11/28/2000

Title

Isolated DNA molecule encoding rank ligand

Preliminary Class

435

Data entry by : TYSON, LASHONNAH

Team : OIPE

Date: 11/29/2000

